



435-217

1806

Docket No. 43471

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re application: Wayne A. Marasco, et al.

Serial No.: 08/199,070

Group No: 1806

Filed: 2/22/94

Examiner: F. Eisenschenk

For: Nucleic Acid Delivery System, Method of Synthesis
And Uses Thereof

Honorable Commissioner of Patents and Trademarks
Washington, DC 20231

Sir:

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Response to Restriction Requirement

In response to the Restriction Requirement dated September 19, 1994 in the above-described matter, enclosed is a Petition for a Three Month Extension of Time and payment of fee.

Remarks

In response to the Restriction Requirement, applicants elect Group II directed to claims 1-16 drawn to nucleic acid delivery systems, which introduce DNA into cells and methods of *in vivo* gene therapy with traverse.

Applicants traverse this restriction requirement because in both cases, the Examiner is reviewing the same claims, i.e. claims 1-16. The restriction is based on the fact that the claims in Group I require the search of Class 530, Subclass 391.7 and also Class 435, Subclass 1712.3, whereas the claims of Group II, require a search of Class 530, Subclass 391.7, and also require the search of Class 514, Subclass 44. Applicants respectfully submit that the additional search necessary should readily be able to be accomplished at the same time as the other searches and thus, both groups should be searched at the same time.

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Respectfully submitted,

By: Ronald I. Eisenstein
Ronald I. Eisenstein
Reg. No. 30,268

(617) 523-3400
Dike, Bronstein, Roberts & Cushman
130 Water Street
Boston, MA 02109

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